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August 27, 2013

Testimony Before the Michigan House & Senate Joint Judiciary Committee on Juvenile
Sentencing in Michigan Following Miller vs. Alabama

Good morning to you all and thank you for giving me this opportunity to share my story and my opinion on the new proposed Michigan Legislation. My name is Sarah Samborski. I am speaking to you all today on behalf of my husband Public Safety Officer Mason James Samborski who was killed in the line-of-duty on December 28, 2008 by a 16 1/2 year-old teen. He was taken from us way too soon leaving behind, at age 28, many close family and friends including myself his wife and our 13 month-old daughter Madeline.

My worst nightmare began the moment I received that knock on the door at 2:45 AM on December 28, 2008. There were two Oak Park officers and a Livingston county officer standing on my doorstep. It was that moment that you have heard about or seen in movies that you dread but never really thought it would happen to you. The officers told me that Mason had been shot and they were there escort me to the hospital. I asked if he was ok and if he was alive but they wouldn't reveal anything more. We picked up Mason's parents Ken and Joan and Mason's brother Kurt on the way to the hospital. It was within that next hour that we learned that Mason was shot in the head. They had tried everything they could to save him but there was nothing else they could do. I will never forget walking down the hallway seeing so many officers lined up against the walls on the way to his room. I saw Mason lying on the bed and didn't want to leave him. I held his hand and kissed him and just stayed with him as long as they let me. Although he was shot in the head he looked like my Mason: my husband, my best friend, and the father to our daughter. Someone gave me his wedding ring and his wallet that he had on him when he was killed. I immediately put Mason's ring on under my own wedding ring so I could feel closer to him. I called my mom and dad from the hospital and said the words out loud to my mom on the phone for the first time, "Mason is dead." I couldn't stop crying as I said those words. Madeline just happened to be spending the night at their house and was awoken by the call and was crying hysterically. My aunt came over so to watch her so they could come up to hospital. Mason's sister Natalie, who was 9 months pregnant with her first child, and her husband Jeremy had to be told over the phone that their brother was dead. They left for the hospital as soon as they could. My sister Anna and her husband Andy and my sister Becky and her husband Jamie were also told over the phone and all came up to hospital. Everyone was in shock and in pain. No one could believe that this was real.

Our daughter Madeline didn't get to say goodbye to her daddy. In fact, when he was first killed, she would run around the house looking for him and calling out "Daddy, where are you?"

It was so sweet and heartbreaking at the same time. Our daughter is now five years-old and is still confused about her daddy's death. She has had so many questions over the years and it has been very difficult for me to try to explain to her that her father is never coming home. Can you imagine trying to explain to your child that her father was murdered? Madeline wants answers. She now asks, "Why did that guy hurt my daddy? It is so mean to hurt people." Even a 5 year-old knows that it is wrong to hurt another person. She is proud to tell people that her daddy was a police officer and what his favorite colors were. Most of the time Madeline is sad when she talks about him. She cries to me and tells me that she wants him and misses him. She says she loves him and wishes that he could come back. I wish I could give her a few more moments with her dad or that she would at least have some true memories of him. Instead I have to watch her go through life always wishing her dad was here and never finding out the truth behind his murder. I have to wonder if I am making the right decisions for her and hoping that Mason would agree with them and be proud of us both. Mason has missed so much of Madeline's life already. He was so excited to watch her grow up. He couldn't wait to show her all the things that he loved to do and teach her how to do it all. But he only got to be a part of her life for a short time. Madeline will not have her dad at the biggest moments in her life when she will need him the most: graduation, finding a job, walking her down the aisle on her wedding day, and the birth of her own children.

Mason was an intelligent, generous, funny, and loving man. He was definitely a unique individual who formed his own opinions from life experiences and went out of his way to help people. He is loved and missed by so many people. He was a husband, a father, a son, a brother, a grandson, a son-in-law, a brother-in-law, an uncle, a nephew, a cousin, a friend, and a Public Safety Officer. Mason also has a nephew, a niece, and another new baby in the family that will never get to meet their Uncle Mason.

The trial was another story. We had to learn how Mason was lied to and manipulated by a teenager. We saw disturbing pictures and heard gruesome details from witnesses and experts of how Mason was brutally murdered. We learned how the teen was driving without a license late at night and that Mason had pulled him over for a taillight being out. The teen was spending time with an acquaintance that night and it was her apartment building that he led Mason to. The acquaintance told us how the teen took off running and Mason went after him. There was a struggle at the top of the stairs and they both fell down the stairs. Mason crashed into a glass wall at the bottom of the stairs and was knocked unconscious. We learned that the teen stole Mason's gun and put it right up to his head to kill him. The teen stole Mason's cell phone and made multiple calls to family members and friends. We learned how he just left Mason to die. Let me be clear, this is a teen who had done nothing more than drive without a license and have a taillight out. He lied to and manipulated a Public Safety Officer while the officer was trying to

do him a favor by taking him home to release him to a parent. How does a minor offense justify shooting someone in the head? This teenager could have made many different choices that night. Instead he chose to murder a Public Safety Officer. My husband took an oath to protect and serve his community. He had the upmost respect for the law. But while doing his job, he was killed by a teenager who manipulated him, stole his gun, and murdered him by placing that gun to his head and pulling the trigger. This teenager knew exactly what he was doing that night. The jury agreed. The teen, who was tried as an adult, was found guilty of 1st degree pre-meditated murder, murder of a peace officer and two separate felony firearm charges. He received a mandatory sentence of LWOP. His direct appeal has yet to be heard at this point.

This teen is currently serving his sentences in prison. That should be the end of his part in my life. Yet, here we are today just over 2 ½ years after his conviction and just under five years after his crime discussing changing his sentence and the sentence of other juveniles offenders who committed 1st degree murder. Here we are today, discussing the chance at a future for these criminals and forgetting the real victims in all of this. The real victims like my husband who don't have a future ahead of them. Their futures were taken away from them. It makes me sick when I think about what Mason had to go through that night and what his last thoughts were. It makes me sick to think about other victims that have been murdered. It makes me even sicker to think about how other victims' families have to endure the heartbreak, the grief, and and the pain that I have experienced myself.

The juveniles that committed 1st degree murder and were sentenced to life in prison without parole were convicted for a reason: They Took a Life. A life of someone with loved ones that were left behind who have to live with their loss every single day. Justice needs to be served. These juveniles need to take responsibility for their actions.

There are currently two views that are being addressed today on how the State of Michigan should respond to the Miller vs. Alabama ruling. The House has proposed legislation that would allow all juveniles currently serving a LWOP sentence for crimes that were committed when they were under 18 years of age to have their new sentences be left up to a judge's discretion with a minimum sentence of 15 years with eligibility for parole every two years after that. The Senate has proposed legislation that would allow all juveniles currently serving a LWOP sentence for crimes that were committed when they were under 18 years of age and are on direct appeal to be given a minimum sentence of 45 years with eligibility for parole every five years after that.

I believe that the Senate bills outline a far more appropriate sentencing option for these juveniles who have committed these heinous crimes. The longer and stricter sentences would show Michigan residents that their Legislature doesn't take lightly the impact of murder on the

victims or the victims' families. These are the people who have suffered. These are the people dealing with a tragic loss greater than anything these teenagers convicted for these crimes will ever have to deal with. These teenagers chose to commit their acts. I say chose because that is what these teenagers did. They premeditated their crimes. They acted in a way in which allowed a jury to believe them guilty of 1st degree murder. They deserve the strictest sentences allowable by law. And the Senate bills go further to ensure this happens.

I believe that the legislation being considered in the Senate would allow the victims' families to have a little more peace of mind. It would allow the victims' families that have been dealing with their grief and pain to try and move forward and find their way without their loved one by their side. Shorter sentences with fewer years between parole eligibility like the legislation proposed in the House just make the victims families constantly relive their loved ones murder. We have all been through enough. Please think about the real victims and their families. Honor them by making the right sentencing choice for their murderers. I am here today to give my support for the Senate bills and I hope you will too.

Thank you for your time.

Respectfully,

A handwritten signature in cursive script that reads "Sarah E. Samborski".

Sarah E. Samborski

Widow of Mason J. Samborski

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